



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**SEP 28 2012**

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Craig Schlauch  
General Manager  
General Aluminum, Rootstown Division  
5159 South Prospect Street  
Rootstown, Ohio 44266

Dear Mr. Schlauch:

This letter is to advise you that the U.S. Environmental Protection Agency has determined that General Aluminum's facility at 5159 South Prospect Street, Rootstown, Ohio (facility) is in violation of the Clean Air Act (CAA) and associated state or local pollution control requirements. We are issuing to you the enclosed Notice of Violation and Finding of Violation (NOV/FOV) for these violations.

The CAA requires the development of Primary and Secondary National Ambient Air Quality Standards (NAAQS) to protect public health, public welfare and the environment. The CAA then requires each state to adopt and submit to the Administrator of EPA a plan which provides for implementation, maintenance and enforcement of the primary and secondary NAAQS. The federally approved Ohio State Implementation Plan (Ohio SIP) includes the requirement to obtain certain permits from the Director of the Ohio Environmental Protection agency (OEPA). The Ohio SIP also provides authority to the Director of OEPA to include in such permits other terms and conditions necessary to assure compliance with the NAAQS and applicable air pollution control law. The OEPA issued several permits to General Aluminum which establish terms and conditions the Director deems necessary to assure compliance with the NAAQS and applicable air pollution law. These terms and conditions are established pursuant to Ohio Administrative Code Rule 3745-31-05 as best available technology.

Section 111 of the CAA requires the Administrator of EPA to publish a list of stationary source categories which, in the Administrator's judgment, cause or contribute significantly to air pollution which may endanger public health and welfare. The Administrator is then required to publish regulations establishing Federal standards of performance for new sources for sources within those listed source categories. The Administrator published the General Provisions of 40 Code of Federal Regulations (C.F.R.) Part 60, and 40 C.F.R. Part 60, Subpart UUU – Standards of Performance for Calciners and Dryers in Mineral Industries in accordance with the requirements of Section 111 of the CAA. The General Provisions to 40 C.F.R. Part 60, and 40

C.F.R. Part 60, Subpart UUU require certain notification, testing and monitoring requirements with which affected sources must comply.

Section 112 of the CAA requires the Administrator of EPA to publish a list of all categories and subcategories of major sources and area sources of the hazardous air pollutants listed in Section 112 of the CAA. The Administrator is then required to promulgate regulations establishing emission standards for each category or subcategory of major sources and area sources of hazardous air pollutants listed for regulation. These emission standards must require the maximum degree of reduction in emissions of hazardous air pollutants that is deemed achievable by the Administrator. The Administrator published the General Provisions to 40 C.F.R. Part 63 and the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper and Other Nonferrous Foundries in accordance with Section 112 of the CAA. The General Provisions to 40 C.F.R. Part 63, and 40 C.F.R. Part 63, Subpart ZZZZZZ, require certain notification, testing, reporting/recordkeeping, and monitoring. The requirements of this subpart are also based on Generally Available Control Technology as provided for at Section 112(d)(5) of the CAA.

EPA finds that General Aluminum's facility has violated and continues to be in violation of the following requirements/regulations:

- 1) Certain permit terms and conditions established pursuant to the Ohio SIP.
- 2) The General Provisions to 40 C.F.R. Part 60.
- 3) The Standards of Performance for Calciners and Dryers in Mineral Industries (40 C.F.R. Part 60, Subpart UUU).
- 4) The General provisions to 40 C.F.R. Part 63.
- 5) The National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper and Other Nonferrous Foundries (40 C.F.R. Part 63, Subpart ZZZZZZ).

Violations of permit terms and conditions in General Aluminum's permits to install and operate (PTIO), are violations of Ohio SIP and Title I of the CAA. Violations of the General Provisions to 40 C.F.R. Part 60, and 40 C.F.R. Part 60, Subpart UUU are violations of the applicable regulations and Section 111 of the Clean Air Act. Violations of the General Provisions to 40 C.F.R. Part 63, and 40 C.F.R. Part 63, Subpart ZZZZZ are violations of the applicable regulations and Section 112 of the CAA.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action and bringing a judicial criminal action.

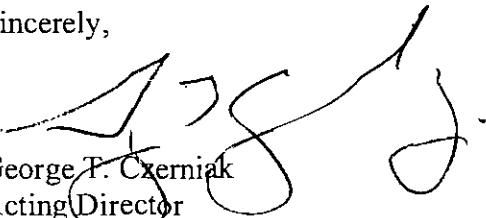
We are offering you the opportunity to request a conference with us about the violations alleged in the NOV/FOV. A conference should be requested within 10 days following receipt of this notice. A conference should be held within 30 days following receipt of this notice. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply and the steps you will take to prevent future violations. Please



plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Kevin Vuilleumier. You may call him at 312-886-6188 if you wish to request a conference. EPA hopes that this NOV/FOV will encourage General Aluminum's compliance with the requirements of the CAA.

Sincerely,



George T. Czerniak  
Acting Director  
Air and Radiation Division

cc: Robert Hodanbosi, OEPA  
Ed Fasko, OEPA/NEDO

Enclosure

1. The permits and permit conditions relevant to this NOV/FOV are as follows:
  - a. Ohio Environmental Protection Agency (OEPA) issued PTIO P0107606 to the facility on February 10, 2011. This permit establishes certain terms and conditions for, among other air emission sources, casting/pouring operations (F001 and F003), five aluminum reverberatory furnaces (P901 - P905), and a foundry sand reclamation unit (P907).
    - i. PTIO P0107606 – Section C.6.b)(1)a.-c. requires that General Aluminum employ best available control measures to minimize or eliminate visible emissions of fugitive dust from F001-F003.

- ii. PTIO P0107606 - Section C.6.b)(2)c.i. requires that General Aluminum employ best available control measures to adequately enclose, contain, capture and vent fugitive dust from F001-F003. Best available control measures include the installation and use of hoods, fans and other equipment.
  - iii. PTIO P0107606 – Section C.6.b)(2)c.i. requires that General Aluminum employ best available control measures with collection efficiency sufficient to minimize or eliminate visible emissions at the point(s) of capture for F001-F003.
  - iv. PTIO P0107606 – Section C.6.b)(2)e. requires that for each operation not adequately enclosed, the above identified control measures shall be implemented at all times during operations of F001-F003.
  - v. PTIO P0107606 – Sections C.8.b)(1)a. 1-a.5, C.8.b)(2)c., and C.8.b)(2)e. requires that General Aluminum employ best available control measures to minimize or eliminate visible emissions of fugitive dust from P902-P905.
  - vi. PTIO P0107606 - Section C.8.b)(2)e.i. states that best available control measures “shall include, but not be limited to, . . . [t]he installation and use of hoods, fans and other equipment to adequately enclose, contain, capture and vent the fugitive dust . . .” from P902-P905.
  - vii. PTIO P0107606 – Section C.8.b)(2)e.ii. requires that General Aluminum employ best available control measures with collection efficiency sufficient to minimize or eliminate visible emissions at the point(s) of capture for P902-P905.
  - viii. PTIO P0107606 – Section C.8.b)(2)g. states that General Aluminum’s “. . . facility may be subject to the requirements of an area source MACT/GACT rule that the Ohio EPA does not have the delegated authority to implement. . . . Please be advised that all requirements associated with these rules are in effect and are enforceable by U.S. EPA.”
- b. OEPA issued PTIO P0107308 to the facility on March 14, 2011. This permit establishes certain terms and conditions for an aluminum reverb furnace (P921).
- i. PTIO P0107308 – Section C.1.b)(1)a., C.1.b)(2)c., and C.1.b)(2)e. requires that General Aluminum employ best available control measures to minimize or eliminate visible emissions of fugitive dust from P921.

- ii. PTIO P0107308 - Section C.1.b)(2)e.i. states that best available control measures shall include, but not be limited to, "The installation and use of hoods, fans and other equipment to adequately enclose, contain, capture and vent the fugitive dust, . . ." from P921.
  - iii. PTIO P0107308 - Section C.8.b)(2)e.ii. requires that General Aluminum employ best available control measures with collection efficiency sufficient to minimize or eliminate visible emissions at the point(s) of capture for P921.
  - iv. PTIO P0107308 - Section C.8.b)(2)i. states that General Aluminum's facility may be subject to the requirements of an area source MACT/GACT rule that the Ohio EPA does not have the delegated authority to implement. "... Please be advised that all requirements associated with these rules are in effect and are enforceable by U.S. EPA."
- 2. The Ohio SIP rules relevant to this NOV/FOV include: Ohio Administrative Code (OAC) Rules 3745-31-02, 3745-31-05, and 3745-35-02. EPA approved OAC Rules 3745-31-02 and 3745-31-05 as part of the federally approved Ohio SIP March 10, 2003. 60 Fed Reg. 2909. EPA approved OAC Rule 3745-35-02 as part of the federally approved SIP June 10, 1982. 47 Fed. Reg. 25145.
  - a. OAC Rule 3745-31-05(D): The director may impose . . . [federally enforceable] special terms and conditions as are appropriate or necessary to ensure compliance with the applicable laws and ensure adequate protection of environmental quality.
  - b. OAC Rule 3745-31-02(F): The approval to construct and/or operate . . . shall not relieve any owner or operator of a stationary source of the responsibility to comply fully with applicable provisions of this chapter and any other requirements under local, state or federal law.
- 3. The requirements of 40 C.F.R. Part 60 relevant to this NOV/FOV include:
  - a. The General Provisions to 40 C.F.R. Part 60
    - i. 40 C.F.R. § 60.7
    - ii. 40 C.F.R. § 60.8
    - iii. 40 C.F.R. § 60.11
    - iv. 40 C.F.R. § 60.13
  - b. The Standards of Performance for Calciners and Dryers in the Mineral Industries
    - i. 40 C.F.R. § 60.734

- ii. 40 C.F.R. § 60.735
  - iii. 40 C.F.R. § 60.736.
- 4. The requirements of 40 C.F.R. Part 63 relevant to this NOV/FOV include:
  - a. The General Provisions to 40 C.F.R. Part 63
    - i. 40 C.F.R. § 63.5
    - ii. 40 C.F.R. § 63.6
    - iii. 40 C.F.R. § 63.9
    - iv. 40 C.F.R. § 63.10
  - b. National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries
    - i. 40 C.F.R. § 63.11550
    - ii. 40 C.F.R. § 63.11553.
- 5. On June 11, 2012, EPA observed the following while conducting a site inspection at the General Aluminum facility.
  - a. F001 did not have a hood, fan or other equipment to minimize or eliminate visible emissions of fugitive dust. F001 was not connected to a pollution control device.
  - b. F003 did not have a hood, fan or other equipment to minimize or eliminate visible emissions of fugitive dust. F003 was not connected to a pollution control device.
  - c. P901 (Furnace #3) did not have a hood, fan or other equipment to minimize or eliminate visible emissions of fugitive dust. P901 was not connected to a pollution control device
  - d. P902 (Furnace #1) was not operating during the site inspection.
  - e. P903 (Furnace #2) did have a hood, fan or other equipment to minimize or eliminate visible emissions of fugitive dust. P903 was tied into a pollution control device (the central baghouse). We did observe, however, emissions from cast parts which were not being contained, captured and vented [to the central baghouse].
  - f. P904 (Furnace #4) did have a hood, fan or other equipment to minimize or eliminate visible emissions of fugitive dust. P904 was tied into a pollution control device (the central baghouse). We did observe, however, emissions



during casting operations which were not enclosed, contained, captured and vented.

- g. P905 (Furnace #5) did not have a hood, fan or other equipment to minimize or eliminate visible emissions of fugitive dust. P905 was not connected to a pollution control device.
  - h. P921 (Furnace #6) did not have a hood, fan or other equipment to minimize or eliminate visible emissions of fugitive dust. P921 was not connected to a pollution control device.
  - i. General Aluminum has not authored or submitted any notification or reports to EPA, nor conducted any emissions testing or opacity monitoring as required by the Standards of Performance for Calciners and Dryers in the Mineral Industries.
  - j. General Aluminum has not authored or submitted any notifications, reports, or plans to EPA, nor covered the furnaces during melting operations or operated as required by the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper or Other Nonferrous Foundries.
6. We have identified the following violations based on an inspection and records review conducted on June 11, 2012. Please note, failure to comply with any approved regulatory provision of a State implementation plan or with any permit condition is a violation of an applicable implementation plan and subject to enforcement action under section 113 of the CAA (40 C.F.R. § 52.23).
- a. General Aluminum failed to employ best available control measures to minimize or eliminate visible emissions of fugitive dust from F001 and F003. This is a violation of PTIO P0107606 condition C.6.b)(1)a.-c.) and the Ohio SIP.
  - b. General Aluminum failed to employ best available control measures (including the installation and use of hoods, fans, and other equipment) to adequately enclose, contain, capture and vent fugitive dust from F001 and F003. This is a violation of PTIO P0107606 condition C.6.b)(2)c.i. and the Ohio SIP.
  - c. General Aluminum failed to employ best available control measures with collection efficiency sufficient to minimize or eliminate visible emissions at the point(s) of capture for F001 and F003. This is a violation of PTIO P0107606 condition C.6.b)(2)c.ii. and the Ohio SIP.
  - d. General Aluminum failed to implement the best available control measures (including the installation and use of hoods, fans, and other equipment) at all times during operation of F001 and F003. This is a violation of PTIO P0107606 condition C.6.b)(2)e. and the Ohio SIP.
  - e. General Aluminum failed to employ best available control measures to minimize or eliminate visible emissions of fugitive dust from P901, P903, P904, and P905.

This is a violation of PTIO P0107606 conditions C.8.b)(1)a.1.-a.5., C.8.b)(2)c., and C.8.b)(2)e. and the Ohio SIP.

- f. General Aluminum failed to employ best available control measures (including the installation and use of hoods, fans and other equipment) to adequately enclose, contain, capture and vent the fugitive dust from P901, P903, and P905. This is a violation of PTIO P0107606 condition C.8.b)(2)e.i.
- g. General Aluminum failed to employ best available control measures with collection efficiency sufficient to minimize or eliminate visible emission at the point(s) of capture from P901, P903, P904 and P905. This is a violation of PTIO P0107606 condition C.8.b)(2)e.ii. and the Ohio SIP.
- h. General Aluminum failed to employ best available control measures to minimize or eliminate visible emissions of fugitive dust from P921. This is a violation of PTIO P0107308 condition C.1.b)(1)a., C.1.b)(2)c., and C.1.b)(2)e. and the Ohio SIP.
- i. General Aluminum failed to employ best available control measures (including the installation and use of hoods, fans, and other equipment) to adequately enclose, contain, capture, and vent the fugitive dust from P921. This is a violation of PTIO P0107308 condition C.1.b)(2)e.i. and the Ohio SIP.
- j. General Aluminum failed to employ best available control measures with collection efficiency sufficient to minimize or eliminate visible emissions at the point(s) of capture for P921. This is a violation of PTIO P0107308 condition C.1.b)(2)e.ii. and the Ohio SIP.
- k. General Aluminum failed to submit the initial notification identifying the sand reclamation unit (P907) as a calciner subject to the Standards of Performance for Calculiners and Dryers in Mineral Industries. This is a violation of 40 C.F.R. § 60.7(a) and Section 111 of the CAA.
- l. General Aluminum failed to maintain records of start-up, shut-down, and malfunction events at P907. This is a violation of 40 C.F.R. § 60.7(b) and Section 111 of the CAA.
- m. General Aluminum failed to submit semi-annual excess emission/summary reports of opacity and/or visible emission readings conducted at P907. This is a violation of 40 C.F.R. § 60.7(c-d), 40 C.F.R. § 60.735(c), and Section 111 of the CAA.
- n. General Aluminum failed to record opacity using a continuous opacity monitoring system (COMS) on P907. This is a violation of 40 C.F.R. § 60.7(f), 40 C.F.R. § 60.734(a) and Section 111 of the CAA.

- o. General Aluminum failed to conduct initial performance testing of P907 for particulate matter using EPA Reference Method 5. This is a violation of 40 C.F.R. § 60.8(a-c), 40 C.F.R. § 60.736(b)(1) and Section 111 of the CAA.
- p. General Aluminum failed to submit a report for initial performance testing of P907. This is a violation of 40 C.F.R. § 60.8(a) and Section 111 of the CAA.
- q. General Aluminum failed to submit prior notice of initial performance testing for P907. This is a violation of 40 C.F.R. § 60.8(d) and Section 111 of the CAA.
- r. General Aluminum failed to demonstrate initial compliance with opacity limits at P907. This is a violation of 40 C.F.R. § 60.11(b), 40 C.F.R. § 60.736(b)(2) and Section 111 of the CAA.
- s. General Aluminum failed to submit a report for initial opacity readings at P907. This is a violation of 40 C.F.R. § 60.11(e)(2) and Section 111 of the CAA.
- t. General Aluminum failed to install, calibrate, maintain and operate a COMS on P907. This is a violation of 40 C.F.R. § 60.13(b), 40 C.F.R. § 60.734(a) and Section 111 of the CAA.
- u. General Aluminum failed to conduct a performance evaluation of a COMS on P907. This is a violation of 40 C.F.R. § 60.13(c) and Section 111 of the CAA.
- v. General Aluminum failed to submit a report on the performance evaluation of a COMS on P907. This is a violation of 40 C.F.R. § 60.13(c)(2) and Section 111 of the CAA.
- w. General Aluminum failed to perform daily zero and upscale calibration drift checks of a COMS on P907. This is a violation of 40 C.F.R. § 60.13(d)(1) and Section 111 of the CAA.
- x. General Aluminum failed to continuously operate a COMS on P907. This is a violation of 40 C.F.R. § 60.13(e) and Section 111 of the CAA.
- y. General Aluminum failed to retain records of opacity readings from a COMS on P907 for two years. This is a violation of 40 C.F.R. § 60.735(a) and Section 111 of the CAA.
- z. General Aluminum failed to notify the Administrator of the intended construction of a non-major affected source (P921) subject to the National Emissions Standard for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries. This is a violation of 40 C.F.R. § 63.5(b)(4), 40 C.F.R. § 63.9(b) and Section 112 of the CAA.

- aa. General Aluminum failed to comply with the standard by June 27, 2011 for P901-P905. This is a violation of 40 C.F.R. § 63.6(c), 40 C.F.R. § 63.11545(a) and Section 112 of the CAA.
- bb. General Aluminum failed to maintain and operate affected sources and associated air pollution control devices in a manner consistent with good air pollution control practices to minimize emissions from P901, P903-P905 and P921. This is a violation of 40 C.F.R. § 63.6(e)(1) and Section 112 of the CAA.
- cc. General Aluminum failed to develop a start-up, shut-down, and malfunction plan (SSM Plan) for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.6(e)(3)(i) and Section 112 of the CAA.
- dd. General Aluminum failed to maintain records showing whether actions during SSM events at P901-P905 and P921 followed or did not follow the SSM Plan. This is a violation of 40 C.F.R. §§ 63.6(e)(3)(iii-iv) and Section 112 of the CAA.
- ee. General Aluminum failed to maintain a SSM Plan for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.6(e)(3)(v) and Section 112 of the CAA.
- ff. General Aluminum failed to submit initial notification of applicability for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.9(b)(2), 40 C.F.R. § 63.11553(a) and Section 112 of the CAA.
- gg. General Aluminum failed to notify the Administrator of compliance obligations by the effective date of the rule for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.9(d).
- hh. General Aluminum failed to submit the notification of compliance status report for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.9(h), 40 C.F.R. § 63.11553(b) and Section 112 of the CAA.
- ii. General Aluminum failed to maintain records of the occurrence, duration and corrective actions taken during SSM events at P901-P905 and P921. This is a violation of 40 C.F.R. § 63.10(b)(2)(i-iv) and Section 112 of the CAA.
- jj. General Aluminum failed to submit keep copies of each notification for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.10(b)(2), 40 C.F.R. § 63.11553(c)(1) and Section 112 of the CAA.
- kk. General Aluminum failed to maintain required records in a form suitable and readily available for review for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.10(b)(1), 40 C.F.R. § 63.11553(d) and Section 112 of the CAA.
- ll. General Aluminum failed to submit SSM reports for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.10(d)(5) and Section 112 of the CAA.

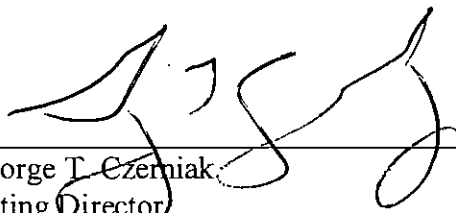
- mm. General Aluminum failed to comply with the standard upon start-up for P921. This is a violation of 40 C.F.R. § 63.11545(c) and Section 112 of the CAA.
- nn. General Aluminum failed to cover or enclose each melting furnace during the melting operation for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.11550(a)(1) and Section 112 of the CAA.
- oo. General Aluminum failed to prepare and operate under a written management practices plan for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.11550(a)(3) and Section 112 of the CAA.
- pp. General Aluminum failed to keep records to document conformance with the management practices plan for P901-P905 and P921. This is a violation of 40 C.F.R. § 63.11553(c)(2) and Section 112 of the CAA.

#### **Environmental Impact of Violations**

- 7. Failure to employ best available control technology to minimize or eliminate visible fugitive emissions increases public exposure to unhealthy particulate matter. Particulate matter, especially fine particulate, contributes to respiratory problems, lung damage and premature deaths.
- 8. Failure to comply with the requirements of 40 C.F.R. Part 60 and 40 C.F.R. Part 63 increases public exposure to particulate matter and hazardous air pollutants (in particular potential toxic metals like lead). Toxic metals can contribute to a variety of health problems including respiratory problems, learning impairments, and central nervous system damage.

Date

9/28/12

  
George T. Czerniak  
Acting Director  
Air and Radiation Division

## CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, No. EPA-5-12-OH-23, by Certified Mail, Return Receipt Requested, to:

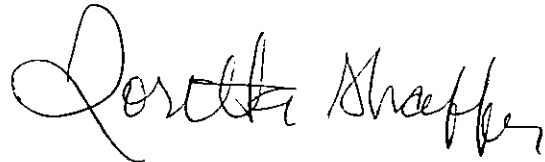
Craig Schlauch, General Manager  
General Aluminum, Rootstown Division  
5159 South Prospect Street  
Rootstown, Ohio 44266

I also certify that I sent copies of the Notice of Violation and Finding of Violation by first-class mail to:

Robert Hodanbosi  
Lazarus Government Center  
122 South Front Street  
Columbus, Ohio 43215

Ed Fasko, APC Manager  
Northeast District Office  
2110 East Aurora Road  
Twinsburg, OH 44087

On the 1 day of October 2012.



CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7667 6359